

**UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**CASE NO.: 5:16-CV-170**

WILMINGTON SAVINGS FUND  
SOCIETY, FSB, AS TRUSTEE OF  
STANWICH MORTGAGE LOAN TRUST  
A, as Successor in Interest to BANK OF  
AMERICA, N.A.,

Plaintiff,

v.

HEATHER ANN WAYNE; ANY SPOUSE  
OF HEATHER ANN WAYNE; ROBERT  
MASSENGILL CONSTRUCTION, INC.;  
THE POINTE AT FLOWERS PLANTATION  
HOMEOWNERS ASSOCIATION, INC.;  
NFG#2 FEDERAL CREDIT UNION;  
UNITED STATES INTERNAL REVENUE  
SERVICE,

Defendants.

**ORDER ALLOWING CONSENT**  
**MOTION TO SUBSTITUTE**  
**ASSIGNEE AS PLAINTIFF**

THIS CAUSE COMING BEFORE THE COURT on the Motion of Plaintiff Bank of America, N.A. ("BANA"), and its successor in interest, assignee Wilmington Savings Fund Society, FSB, as Trustee of Stanwich Mortgage Loan Trust A, a federal savings bank, ("WSFS"), to Substitute WSFS as Plaintiff in this action; and


IT APPEARING TO THE COURT that the Defendants The Pointe at Flowers Plantation Homeowners Association, Inc. and United States Internal Revenue Service (all other, remaining Defendants having been defaulted) have consented to the substitution of WSFS as Plaintiff; and

IT FURTHER APPEARING TO THE COURT that WSFS has acquired certain assets of BANA, and, as part of that transaction, BANA transferred to WSFS all right title and interest in

the Note and Deed of Trust which are the subject of this action, along with all causes of action, right, title, and interest in the claims in this litigation, and that pursuant to Rule 25(c) of the Federal Rules of Civil Procedure, WSFS is entitled to be substituted for BANA as Plaintiff in this action.

NOW THEREFORE IT IS HEREBY ORDERED, that Plaintiff BANA and WSFS's Motion for Substitution of WSFS for BANA in this action is allowed, and henceforth, the case caption in this action shall be amended to state that Wilmington Savings Fund Society, FSB, as Trustee of Stanwich Mortgage Loan Trust A, is the Plaintiff.

SO ORDERED. This 13 day of February 2017.

  
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JAMES C. DEVER III  
Chief United States District Judge